

**REMARKS**

Initially, Applicant expresses appreciation for the detailed Official Action provided.

Additionally, Applicant expresses appreciation to the Examiner for the courtesies extended to Applicant's representative during the telephone interview of March 1, 2010. During the telephone interview, the features of the independent claims of the present application were discussed and clarified, and the distinctions between the features of the independent claims of the present application and the applied references were discussed. In this regard, during the telephone interview, the Examiner acknowledged that the claims of the present application were misconstrued at the time of issuing the outstanding rejection of the claims under 35 U.S.C. § 103 as set forth in the outstanding Official Action. The Examiner asserted that the pending claims of the present application may possibly be unclear. Applicant's representative inquired as to which claim recitations of the present application are unclear and as to any suggested amendments. However, the Examiner was unable to indicate which claim recitations of the present application are unclear or to propose any suggested amendments.

By the present paper and contrary to the Examiner's suggestion, the claims of the present application have not been amended. Thus, previously presented claims 1-26 remain pending in the present application with claims 1, 18, 22, and 26 being in independent form.

Applicant addresses the rejection provided within the outstanding Final Official Action below and respectfully requests reconsideration and withdrawal of the rejection in the next Official communication. Such action is respectfully requested and is believed to

be appropriate for at least the reasons provided below and during the above-mentioned telephone interview.

### **35 U.S.C. § 103 Claim Rejection**

In the outstanding Official Action, claims 1-26 (*i.e.*, all pending claims) were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. Appl. Pub. No. 2001/0024972 to Kitao (hereinafter “KITAO”) in view of EP 0528422 to Yamada (hereinafter “YAMADA”). Applicant traverses the rejection.

Independent claims 1, 18, 22, and 26 (*i.e.*, all pending independent claims) recite, respectively, a three-dimensional video game apparatus comprising a memory that stores a game program, a computer-implemented method, and a computer-readable storage medium generally for controlling a viewpoint position of a virtual camera based on positions of multiple characters in a virtual three-dimensional space in a video game.

Accordingly to the features of independent claim 1 as a non-limiting and exemplary embodiment of independent claims 1, 18, 22, and 26, with respect to Figures 7A-C of the present application as a non-limiting and exemplary embodiment, a central position calculator calculates a central position 500 of the characters  $\Delta$  (*see, e.g.*, Figure 7A of the present application). A temporary point setter sets multiple temporary points 502a, 502b, 502c in the virtual three-dimensional space with reference to the calculated central position 500. The temporary points 502a, 502b, 502c are set around the central position 500 and a direction to each of the temporary points 502a, 502b, 502c from the central position 500 is predetermined based on polar coordinates of the central position 500 (*see, e.g.*, Figure 7B of the present application).

A temporary viewpoint position setter sets a temporary viewpoint position 403 on each straight line, connecting each of the temporary points 502a, 502b, 502c to the central position 500, where all of the characters  $\Delta$  are projected on the virtual screen 402 within a predetermined visual angle (*see, e.g.*, Figure 7C of the present application). In other words, as shown in Figure 7C of the present application, the temporary viewpoint position setter connects each of the temporary points 502a, 502b, 502c to the central point 500 with a straight line. Thereafter, on each straight line, the temporary viewpoint position setter sets a temporary viewpoint position, such as shown by 403 in Figure 7C of the present application, where all of the characters  $\Delta$  are projected on the virtual screen 402 within a predetermined visual angle.

Thereafter, a distance calculator calculates a distance between each of the set temporary viewpoint positions 403 and the calculated central position 500. For example, with respect to Figure 7C of the present application, for the straight line connecting the temporary point 502 and the central position 500, the distance calculator calculates the distance between the temporary viewpoint position 403 and the central point 500 (*see, e.g.*, Figure 7C of the present application).

A viewpoint position evaluator evaluates each temporary viewpoint position 403 based on each calculated distance. For example, with respect to Figure 7C of the present application, the viewpoint position evaluator evaluates the distance between the central position 500 and the temporary viewpoint position 403 on the straight line through the temporary point 502.

A viewpoint position selector selects a position where the viewpoint of the virtual camera 401 should be moved among the temporary viewpoint positions 403 based on the

evaluation result. A viewpoint position mover moves the viewpoint position of the virtual camera 401 to the selected position, such as 403 as shown in Figure 7C of the present application, and a perspective transformer perspective-transforms the three-dimensional space onto the virtual screen 402 based upon the virtual camera 401 where the viewpoint position is moved, such as 403 as shown in Figure 7C of the present application.

Accordingly, at least in view of the above, each of independent claims 1, 18, 22, and 26 (*i.e.*, all pending independent claims) of the present application generally recite that: a central position of the characters is determined, multiple temporary points are set around the calculated central position; a temporary viewpoint position is determined on each line connecting one of the temporary points and the central point where all of the characters can be projected on a virtual screen with a predetermined visual angle; a distance between each temporary viewpoint position and the central position is calculated and evaluated; and, based on the calculated and evaluated distances, one of the temporary viewpoint positions is selected for moving the virtual camera thereto. Applicant submits that, contrary to the Examiner's assertion during the above-mentioned telephone interview, such features are clearly recited by the pending claims.

Additionally, Applicant further submits that the applied references fail to render obvious such features. Specifically, the applied references fail to render obvious at least the combination of features of the independent claims of setting multiple temporary points around the central position of the characters, setting, on each line connecting the temporary points with the central position, a temporary viewpoint position where all of the characters can be projected on the virtual screen with a predetermined visual angle, calculating and evaluating a distance between each temporary viewpoint position and the central position,

and selecting one of the viewpoint positions to which to move the virtual camera based on the evaluation results.

To the contrary, KITAO discloses a game system including a first viewpoint position P1 and a second viewpoint position P2 (*see* KITAO, Figures 3 and 5). According to KITAO, the first viewpoint position P1 is a default viewpoint position for a player character (*see* KITAO, ¶[0057]). The first viewpoint position P1 is set on a backside of the player character 31 and slightly inclined toward the moving direction of the player character 31 (KITAO, ¶[0055]). As the player character 31 progresses through the game, the first viewpoint position P1 moves with the player character 31 so as to keep a relative position with the player character 31 (KITAO, ¶[0055]). Applicant respectfully submits that the first viewpoint position P1, as disclosed by KITAO, cannot be reasonably interpreted to disclose or render obvious the above-mentioned features of the independent claims of the present application.

However, KITAO further discloses that, when the player character 31 moves within a predetermined distance D of an opponent character 32, the first viewpoint position P1 of the player character 31 is switched to a second viewpoint position P2 (KITAO, ¶[0058]). The second viewpoint position P2 is set at a position that faces an observation point p that is the middle point between the player character 31 and the opponent character 32 (KITAO, ¶[0063]). KITAO discloses that the second viewpoint position P2 is located at a position on the side of the player character 31 and the opponent character 32 at a distance from the observation point p such that the player character 31 and the opponent character 32 are each seen facing one another (KITAO, ¶[0062], Figure 5).

In other words, assuming, *in arguendo*, that KITAO discloses that a viewpoint position is set at the side of the player character 31 and the opponent character 32 and that a line interconnects the viewpoint position and the observation point p (which KITAO does not appear to disclose nor which Applicant believes that KITAO can be reasonably interpreted to disclose), KITAO discloses that a *single* viewpoint position P2 is determined along the *single* line at a position where both the player character 31 and the opponent character 32 are seen facing one another. That is, according to the second viewpoint position P2, KITAO discloses that the observation point p is calculated as the central position of the player character 31 and the opponent character 32. A *single* line is determined on the side of the player character 31 and the opponent character 32. A *single* viewpoint position is determined on the *single* line such that the player character 31 and the opponent character 32 are each seen facing one another (*see* KITAO, Figure 5). Thus, according to KITAO, the second viewpoint position P2 is always determined to be on the side of the player character 31 and the opponent character 32 on the *single* line such that the player character 31 and the opponent character 32 are each seen facing one another.

In contradistinction, the independent claims of the present application generally recite that *multiple* temporary points are set about the central position, that *multiple* straight lines interconnect the *multiple* temporary points with the central position, and that a temporary viewpoint position is set on each line where all of the characters can be projected on the virtual screen with a predetermined visual angle. Since the independent claims of the present application generally recite that *multiple* temporary viewpoint positions are set, the independent claims further recite that a distance is calculated and evaluated from each of the *multiple* temporary viewpoint positions to the central position,

and that the viewpoint position is moved to one of the *multiple* temporary viewpoint positions based on the results of the evaluation. As such, according to the present application and in contrast to KITAO, the viewpoint position of the virtual camera moves around the central position based on evaluation results of the distances between the *multiple* temporary viewpoint positions and the central position.

Applicant respectfully submits that constantly moving a viewpoint position to a side of a player character and an opponent character such that the player character and the opponent character are each seen facing one another, as disclosed by KITAO, cannot be reasonably interpreted to render obvious the above-mentioned features of independent claims 1, 18, 22, and 26 of the present application of moving a viewpoint position among multiple temporary viewpoint positions. That is, setting a *single* viewpoint on a *single* line as disclosed by KITAO cannot be reasonably interpreted to render obvious setting a viewpoint position as one of *multiple* temporary viewpoint positions on *multiple* lines as recited by the present independent claims.

Furthermore, since KITAO merely discloses setting a *single* viewpoint on a *single* line, it is submitted that KITAO cannot be reasonably interpreted to disclose or render obvious the features of the present independent claims of calculating a distance between each of the *multiple* temporary viewpoint positions and the central position, evaluating each of the *multiple* temporary viewpoint positions based on the corresponding calculated distance, and setting one of the *multiple* temporary viewpoint positions as the viewpoint position based on the results of the evaluations.

Applicant further submits that YAMADA fails to cure the deficiencies of KITAO. Rather, YAMADA merely appears to disclose a system for “panning” around an object

for viewing the object from different angles (YAMADA, col. 2, lines 23-32). According to YAMADA the viewpoint is moved about a hemisphere centered around the object (YAMADA, col. 2 line 54 to col. 3, line 1 and Figure 7A).

Thus, even if YAMADA were interpreted to disclose that multiple temporary points are set about the object (which Applicant submits that YAMADA does not appear to disclose), YAMADA does not appear to disclose that a temporary viewpoint position is set on each line interconnecting the temporary points and a central position where all characters can be projected on a virtual screen. To the contrary, YAMADA merely discloses that the viewpoint position is set on the hemisphere.

In addition to the above, since each viewpoint position on the hemisphere of YAMADA would be equidistant from the object, Applicant submits that YAMADA cannot be reasonably interpreted to disclose or render obvious the features of independent claims 1, 18, 22, and 26 of the present application of calculating a distance between each of the temporary viewpoint positions and the central position, evaluating each temporary viewpoint position based on the calculated distance, and moving a viewpoint position to one of the temporary viewpoint positions based on the evaluations.

Accordingly, at least in view of the above, Applicant respectfully submits that the combination of KITAO and YAMADA cannot be reasonably interpreted to render obvious independent claims 1, 18, 22, and 26 of the present application. Rather, KITAO merely discloses setting a viewpoint position on a single line while YAMADA merely discloses viewing an object from different angles by “panning” around a hemisphere. Therefore, Applicant respectfully submits that the rejection of independent claims 1, 18, 22, and 26 as being rendered obvious thereby is improper and requests withdrawal of the



rejection together with an indication of the allowability of these claims in the next Official communication.

With respect to the rejection of dependent claims 2-17, 19-21, and 23-25, these claims are submitted to each be directly or indirectly dependent from one of allowable independent claims 1, 18, and 22, which are allowable for at least the reasons discussed *supra*. Thus, these dependent claims are submitted to also be allowable for at least the reasons discussed *supra*. Furthermore, all dependent claims recite additional features which further define the present invention over the references of record.

At least in view of the above, Applicant respectfully submits that each and every pending claim of the present application (*i.e.*, claims 1-26) meets the requirements for patentability. Thus, it is respectfully requested that the outstanding rejection is withdrawn and that each and every pending claim in the present application is indicated to be allowable.

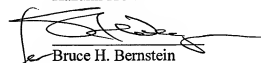
**CONCLUSION**

In view of the fact that none of the art of record, whether considered alone, or in any proper combination thereof, discloses or renders obvious the present invention, and in further view of the above remarks, reconsideration of the Examiner's action and allowance of the present application are respectfully requested and are believed to be appropriate.

Should the Commissioner determine that an extension of time is required in order to render this response timely and/or complete, a formal request for an extension of time, under 37 C.F.R. §1.136(a), is herewith made in an amount equal to the time period required to render this response timely and/or complete. The Commissioner is authorized to charge any required extension of time fee under 37 C.F.R. §1.17 to Deposit Account No. 19-0089.

If there should be any questions concerning this application, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,  
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